



PATENT
937-120P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Woon-Seong YEO
Appl. No.: 09/055,240 Group: 2752
Filed: April 6, 1998 Examiner: NEYZARI
For: OPTICAL DISC HAVING VARIABLE SPARE AREA
RATES AND METHOD FOR VARIABLY SETTING
THE RATE OF SPARE AREAS IN THE OPTICAL
DISC

INFORMATION DISCLOSURE STATEMENT
(SUBMISSION AFTER FILING OF AN APPLICATION
BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE
OR CONCURRENTLY WITH A RULE 53(d) CPA APPLICATION)

Assistant Commissioner for Patents
Washington, DC 20231

August 18, 1999

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

II. COPIES (check at least one box)

- a. ☒ Submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. ☐ Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

Base

III. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

- a. ☐ **DOCUMENTS IN THE ENGLISH LANGUAGE**

The attached patents, publications, or other information in the English language do not require a statement of relevancy.

- b. ☒ **DOCUMENTS NOT IN THE ENGLISH LANGUAGE**

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

Enclosed is the Office Action of the corresponding Japanese Patent Application No. 10-139826 which identifies the three patents cited herein: 1)JP 62-209776, 2)JP 2-156477, and 3)8-124304

Patent Abstracts are provided in English for each cited Japanese patent.

- c. ☐ **ENGLISH LANGUAGE SEARCH REPORT**

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(A)(3).

- d. ☐ **OTHER**

The following additional information is provided for the Examiner's consideration.

FEES

IV. ☐ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b):
(check one box)

- a. ☐ within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required.
- b. ☐ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.
- c. ☐ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account in the amount of \$240.00 as required by 37 C.F.R. § 1.17(p).

V. ☒ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

- a. ☐ No statement; therefore, a fee in the amount of \$240.00 as required by 37 C.F.R. § 1.17(p).
or
- b. ☒ See the statement below. No fee is required.

VI. STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby states that

- a. ☒ each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.
- c. ☐ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VII. PAYMENT OF FEES (check one box)

- ☐ A check in the amount of \$240.00 as required by 37 C.F.R. § 1.17(p) is enclosed for the above-identified fee.
- ☐ Please charge Deposit Account No. 02-2448 in the amount required by 37 C.F.R. § 1.17(p) for the above-indicated fee. A triplicate copy of this paper is attached.
- ☒ No fee is required.

Appl. No. 09/055,240

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP



By Terry L. Clark, #32,644

TLC/WKR:kmr
937-120P

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(703) 205-8000

Enclosures: ☒ PTO-1449
☒ Documents
☐ Foreign Search Report
☐ Fee
☒ Other: Office Action of corresponding
application JP 10-139826

(Rev. 03/30/99)

CERTIFICATION OF MAILED DOCUMENT(S) TO USPTO

The undersigned hereby certifies that the correspondence indicated on the attached photocopy of the postcard receipt was reviewed and found to be in proper order for filing in the USPTO by #22

____ Certificate of Mailing Procedures (This correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC; on the below indicated date.)

✓ Hand Carry to the USPTO mail room by SPRO Chen on the below indicated date.

____ Telefaxed to the USPTO on the below indicated date in accordance with the procedures for faxing documents to the USPTO. Upon successful transmission to the USPTO, a copy of the facsimile Transaction Report will be attached herewith.

Signed: X. Rowe

Date: 8/18/99

Receipt is hereby acknowledged of the papers filed as indicated in connection with the above identified case. COMMISSIONER OF PATENTS AND TRADEMARKS
Due Date: 8-18-99
Handcarry: _____

Papers Filed herewith on: August 18, 1999
DOCKET NO.: 937-130P
ATTY: 14C/WORK
APPLICANT(S): 14C/WORK
USN: 091055,240 FILED: 4/10/98
PAT NO.: _____
☐ New Application with Transmittal Letter
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional
☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV
☐ Filing Under 37 CFR 1.53(d) (CPA)
☐ Specification Consisting of: _____ pages
☐ Combined Declaration & Power of Attorney
☐ Assignment / Cover Letter
☐ Letter to Official Draftsman
☐ Drawings _____ Sheets ☐ Formal ☐ Informal ☐ Red-Ink
☐ Completion of Filing Requirements, PCT/DO/EO/905
or PTO-1533 and Executed Declaration
☐ Priority Document(s) / Cover Letter, No. Doc. _____
☐ Amendment: _____
☐ Transmittal Ltr ☐ Large Entity ☐ Small Entity
☐ Response
☒ Information Disc Simul. PTO-1449(s) 6 re(s)
☐ Notice of Appeal ☐ Appeal Brief
☐ Issue Fee Transmittal
☐ FEES: _____
☐ Letter: _____
Other: 04 of JP 10-1398836

DOCKET NO. 937-130P